

REMARKS

Claims 28, 34, 38-40 and 43 stand rejected under 35 U.S.C. §102(b) as being anticipated by Graft (U.S. Patent No. 5,386,618). Claims 28-35, 37, 38 and 43 stand rejected under 35 U.S.C. §102(b) as being anticipated by Finlayson et al. (U.S. Patent No. 2,622,961). Claims 28-31, 33-38 and 43 stand rejected under 35 U.S.C. §102(b) as being anticipated by Birk et al. (U.S. Patent No. 4,346,504). Claims 28, 34, 37 and 41 stand rejected under 35 U.S.C. §102(b) as being anticipated by Terakawa et al. (U.S. Patent No. 5,511,960). Claim 42 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Finlayson et al. (U.S. Patent No. 2,622,961) in view of Hill et al. (U.S. Patent No. 2,276,394).

The subject matter of the present invention relates to drawing a plurality of individual fibers relative to each other. Such fibers may be in the form of fibers, fiber flocks or a fiber band (basically a sliver, possibly composed of a loose strand of wool, cotton, or some other material prepared for drawing). The Applicant generally describes one possible embodiment of such technology in the text quoted below:

In Fig. 1, a stretch chamber 1 is schematically depicted for the stretching of the fibers 6 of a fiber band. The stretch chamber 1 is shown with an inlet 9, followed by three subsequent sections 2, 3 and 4 which are telescopically arranged and progressively smaller. These sections extend themselves in the direction of stretching V toward an outlet 8 of the stretch chamber 1. The fibers 6 which are stretched in relation to one another are conducted through this telescopically arranged chamber to the mentioned outlet 8. [Substitute Specification on Page 10, First Paragraph].

Please note that Claim 28 has been amended to specifically state that the claimed process includes the step of providing fibers to be stretched in the form of a fiber sliver.

In stark contrast, each of the references cited in the Office Action relates to technology for stretching continuous filament yarns or similar material. For example, Graft '618 discloses technology related to a stretching chamber arrangement for stretching continuous filament yarns wherein such technology prevents problems with dry friction and the resulting frictional electricity during the start-up phase of the stretching process. Similarly, Finlayson et al. '961 discloses a process for the treatment of yarns and like material. [C1, L45-47]. The Examiner concedes that Birk et al. '504 relates to "continuous filaments yarns" (sic) and not "slivers of staple fibers."² Terakawa et al. '960 and Hill et al. '394 also teach technology related to continuous filament materials. Such technology relates to a fundamentally different type of process compared to the Applicant's claimed technology. Accordingly, for at least these reasons, Applicant respectfully submits that claim 28 patentably distinguishes over each of the cited references, alone or in combination.

In regard to claims 29-43, such claims depend directly or indirectly from claim 28 and only add further patentably distinguishing features to claim 28. For at least this reason, it is respectfully submitted that such claims are in condition for allowance.


With the present Amendment, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at her convenience should she have any questions regarding this matter or require any additional information.

² Office Action on Page 5, Paragraph 8; "See, for example, the definition of "drawing" supplied in the text book entitled "Introductory Textile Science" (see reference U on PTO-892). The second definition is applicable here (the first definition is applicable to slivers of staple fibers, while the second definition is applicable to continuous filaments yarns, which are the types of fibers being processed by Birk)."

Respectfully submitted,
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